

## **California Rehabilitation Oversight Board Minutes March 2, 2009 Meeting**

The California Rehabilitation Oversight Board (C-ROB) met in open session on March 2, 2009, at the CSAC Convention Center, 1020 11<sup>th</sup> Street, 2<sup>nd</sup> Floor, Sacramento, California.

**Board members:** Present at the meeting was David Shaw, Inspector General (Chairman); Matt Cate, Secretary, Department of Corrections and Rehabilitation (CDCR); Dennis Fisher, Education Programs Consultant, Secondary, Postsecondary, and Adult Leadership Division, Educational Options Office (Designee for Superintendent of Public Instruction); José Millan, Vice Chancellor, California Community Colleges (Designee for Jack Scott, Chancellor, California Community Colleges); Cindy Radavsky, Deputy Director Long Term Care Services (Designee for Stephen Mayberg, Director, Department of Mental Health); Susan Turner, Professor, University of California, Irvine (President of the University of California appointee); Bruce Bikle, Professor, California State University, Sacramento (Chancellor of California State University appointee); Gary Stanton, Sheriff, Solano County (Governor appointee); and, Loren Buddress, Chief Probation Officer (Senate Committee on Rules appointee). Absent from the meeting was Renée Zito, Director, State Department of Alcohol and Drug Programs; and, William Arroyo, Regional Medical Director, Los Angeles County Department of Mental Health (Speaker of the Assembly appointee).

**Office of the Inspector General staff:** Barbara Sheldon, Chief Counsel; Laura Hill, C-ROB Executive Director; Ann Bordenkircher, C-ROB Secretary, and Jamie Sammut, C-ROB analyst.

**Panel Presenters:** Kathy Jett, Undersecretary, Adult Programs, CDCR; and Carole Hood, Chief Deputy Secretary, Adult Programs, CDCR.

**Public Comments:** David Warren, Lobbyist, Taxpayers for Improving Public Safety (TiPS); Susan Lawrence, M.D., Executive Director, The Catalyst Foundation; Patrick Wilson, a taxpayer; Victor Abrunzo, Jr., Inmate Family Council, Valley State Prison for Women; Marion House, Margaret Mercado, Lucinda Thomas, and David Mayshore.

### **Item 1. Call to Order**

Chairman Shaw called the meeting to order at 9:39 a.m.

### **Item 2. Introductions and Establish Quorum**

The Chairman introduced OIG staff present at the meeting, asked the Board members to introduce themselves, and then noted that a quorum was established.

### **Item 3. Review Agenda**

Chairman Shaw advised that the purpose of the meeting was to have a discussion and board decision on the March 15, 2009 draft report, which covers July through December 2008, and to receive public comments on any matter under the board's jurisdiction.

#### **Item 4. Review and Approval of Prior Minutes**

The minutes from the February 11, 2009 board meeting were unanimously approved as written.

#### **Item 5. Executive Director Update**

Laura Hill, C-ROB Executive Director, addressed the board regarding the late delivery of the draft report and advised the members that their individual meeting packets contained correspondence, faxes, and printed emails received in support of the Honor Program.

#### **Item 6. Board Review of the March 15, 2009 Draft Report**

Chairman Shaw thanked board members Dr. Bikle and Dr. Turner, OIG staff Jamie Sammut and Laura Hill, for their work on the report and then opened the floor to discussion.

After a brief discussion on formatting and grammatical issues, board members shared concerns on several issues. One member commented that while having evidence-based programming is very important, they would like to see a more balanced focus to include program implementation with monitoring of the implementation to ensure that excellent programs are used and in a proper manner. Another comment expressed concern that the 63,000+ CDCR employees need to have a thorough understanding of the organization's move toward a rehabilitation-based model, which also requires a committed and sustained political will of both the governor and the legislature to ensure long-term success. Another member expressed interest in seeing educational and training needs assessments in addition to the criminogenic needs so there is an all-encompassing overview of each inmate.

There was a discussion on CDCR's short-term goals, specifically stage four, Delivery of Programs, from the California Logic Model. It was stated that hiring substitute teachers could increase classroom time for inmates. The department responded that it had looked into the issue, but with the current fiscal limitations, the department must look to existing resources to resolve those challenges.

Secretary Cate interjected that the newly enacted state budget requires CDCR to reduce its budget by 400 million dollars, while remaining consistent with efforts towards rehabilitation and public safety. Secretary Cate stated there are only three places to cut that sum of money. One is at the institution level, one is parole, and one is with the programming; however, no decisions have yet been made. Lastly, Secretary Cate spoke to the programming needs by stating that the department believes it is important to first understand the actual criminogenic and academic needs of the inmates and then provide the programs that satisfy those needs. He added that in these tough fiscal times, the department has concerns about providing programs where there is no need just for the sake of having a program. Secretary Cate also emphasized the balance between ethical responsibility to lifer inmates to provide them with programs and counseling so they have hope of being paroled while also providing programs to those inmates serving five years or less who will some day be released to society.

**Kathy Jett, Undersecretary, Adult Programs, CDCR**, spoke to the complexity in providing access to data, explaining the status of the data, formatting the data, and getting it delivered in such a way that it communicates what C-ROB needs to prepare a report. Ms. Jett stated the process has been a learning experience, and acknowledged the staff has had to work out some glitches that in the future will provide a more timely communication.

**Secretary Cate** told the board that the department is working on a new strategic plan that will help change the culture within the department. He stated that plans will advise the field of approximately 67,000 employees of the department's vision, mission, and core values, along with its goals. Secretary Cate spoke to training being another method to assist with culture change, but in the short term, budget constraints may affect those plans. Secretary Cate stated that he is proud of his program staff, knowing the challenges they face, and publicly thanked Kathy Jett, Carole Hood, and Dr. Chapman for their work.

#### **Public Comment:**

**Patrick Wilson, taxpayer**, stated that he believed the draft report to be skillful, lofty, and bureaucratic rhetoric. Mr. Wilson said that there is no such thing as rehabilitation, and expressed his concern that C-ROB cannot define rehabilitation because it is not within the scope of its duties, and that CDCR cannot implement the Hartman program because it is not within the scope of things that CDCR is supposed to be doing.

**Susan Lawrence, M.D., Executive Director, The Catalyst Foundation**, stated that since she has been coming to the C-ROB board meetings, she has often felt a sense of disconnect between the academic, research, and evidence-based discussion and what is actually going on on the ground. Yet she feels all are essential. Dr. Lawrence said she would like to see CDCR consider things like having focus groups with prisoners, especially lifers, because lifers see things from a different perspective, having insights and experiences that are invaluable to the process. Dr. Lawrence concluded by urging consideration of the Honor Program, which offers a way to deal with lockdowns and the violence, chaos, and disorder that is a product of the prison culture.

**David Warren, Lobbyist, Taxpayers for Improving Public Safety**, expressed his opinion that the C-ROB report, as drafted, should not be sent to the state legislature. Mr. Warren felt that because of data gaps in the report, that C-ROB should request an additional six weeks to do the report correctly rather than prepare a supplemental report in mid-June. Mr. Warren commented that the report does not address any reward for those individuals who participate or punishment for those who do not participate in programming. Mr. Warren stated that inmates should be rewarded with good time credits for sitting through a class and making themselves better the same way those do, who work, for example, in fire camps. In closing, Mr. Warren stated concerns about the lack of religious programming due to lockdowns.

After a short break, Laura Hill, Executive Director, addressed the board with suggested changes to the report based on the morning's discussion among board members, CDCR staff, and the public.

#### **Item 7. Board Decision Regarding the March 15, 2009 Draft Report**

There being no further discussion, Chairman Shaw called for a motion to approve the March 15, 2009 Biannual Report, with proposed amendments. On motion so made, and seconded, the report was approved.

#### **Item 8. Future Board Meeting Schedule**

Chairman Shaw confirmed that future board meeting dates were agreed to at the February 11, 2009 board meeting. Those dates were June 17, August 5, and September 2.

## **Item 9. Future Agenda Items**

Chairman Shaw indicated the board will publish an interim report in June, with the next biannual report due on September 15. Member Buddress indicated that he had been in contact with Adam Gelb from the PEW Institute and hoped that Mr. Gelb would be able to attend a future board meeting.

## **Item 10. Public Comment**

**Patrick Wilson, taxpayer**, asked the board for a definition of what it means when it uses the word “rehabilitation” so everyone can be on the same page. Mr. Wilson says that 172,000 incarcerated people suffer every day, as do their families. He believes C-ROB is another group that simply supports and confirms what the CDCR wants, without true oversight. As an example, Mr. Wilson cites the Expert Panel as people chosen by CDCR who are already going to follow a prescribed CDCR agenda.

**Marion House, Inmate Family Counsel Chairperson, Lancaster**, stated that she has a family member involved in the Honor Program, who has taken advantage of programs offered on the Honor Yard. Ms. House stated that inmates involved in the Honor Program learn to be productive members of society, have new attitudes, and share with others how to be rehabilitated. Ms. House went on to say that the men who meet the criteria of the Honor Program volunteer to follow tough rules, are advanced programmers, and want to live in a peaceful society. She said the Honor Program has proven to save money. Ms. House says it is society’s responsibility to make changes within the prison system to rehabilitate and create public safety for all.

**Margaret Mercado, Inmate Family Council, Lancaster**, believes the Honor Program to be very worthy and successful as a rehabilitation program and should be sanctioned and expanded for men to live and survive without drugs, gangs, and violence. Ms. Mercado has a family member who has experienced violent yards, but qualified to move into the Honor Program. Since 2000 he has been a programmer, studying for his A.A., and became an artist. Ms. Mercado stated this program keeps him sane and is an outlet to channel his energy and passion into something positive, providing a feeling of self-worth. Ms. Mercado believes the Honor Program is smart on crime, saves money, provides public safety, and helps the inmate in many ways.

**Lucinda Thomas, artist facilitator, Arts and Corrections, Lancaster**, stated that she has been in Corrections for 15 years, and on the Honor Yard for five. Ms. Thomas talked about the behavior modification of “sticks and carrots” and what can effectively make a person change his behavior. Ms. Thomas says inmates come in angry and depressed and will only respect the rules when there is something to lose such as, something that he likes to do that gives him hope. Ms. Thomas closed by giving the C-ROB secretary an article on *Artists Serving Humanity*, an Honor Yard program that raises money for charities through their artwork.

**David Mayshore, Program Director, The Catalyst Foundation, Lancaster**, stated that the rules and regulations within the Honor Program create a safe environment for outsiders who become involved with it. He said Honor Program prisons voluntarily attend hundreds of thousands of hours of self-help and personal change groups that transform inmate lives so they can positively impact society. Mr. Mayshore expressed his thoughts that the Honor Program inmates donate many hours of their own volition to help the abused and the needy. Mr. Mayshore believes the lives of guards and prison staff are also changed as they partner with inmates to create healing programs for the surrounding communities. Mr. Mayshore concluded by saying that now is the time to support the Honor Program.

**Victor Abrunzo, Jr., Inmate Family Council (IFC), Valley State Prison for Women**, advised the board that the primary purpose of Penal Code section 5006 (also known as the Inmate Welfare Fund) is education, yet family members of inmates are buying and donating cases of paper, pens, and pencils just so post-secondary education can take place. Mr. Abrunzo stated he does not believe there is currently a mechanism for the public generally to be aware of how the Inmate Welfare Fund is being expended, nor is there a mechanism for inmates or Inmate Family Council members to ask that an appropriation be made for these educational purposes. Mr. Abrunzo does not believe that post-secondary education is acknowledged as programming, nor does the inmate receive credit for trying to improve. Mr. Abrunzo concluded his comments by reading a letter from Ms. Kim Chan who has seen a transformation in a relative who became involved in the Honor Program. Ms. Chan expressed that through the Honor Program the inmate found positive purpose, earned a community college degree, and is currently working towards a bachelor's degree, stating all such endeavors were only possible under the protection of the Honor Program.

**Susan Lawrence, M.D., Executive Director, Catalyst Foundation**, read a letter to the board from a correctional officer (the CO) who was planning on retiring after 20 years, but after becoming involved with the Honor Program, delayed retirement in hopes of seeing it through. The CO has seen inmates put down their politics to live their sentences in peace. The CO stated in the letter that in the first year of the Honor Program, the prison grounds showed measurable positive gains, including a decrease in weapons-related offenses of 88% and violence-related offenses were reduced by 85%. The CO believes the Honor Program to be the model for transforming lives. The letter included 120 signatures of correctional officers, administrators, teachers, chaplains, and others in support of the Honor Program.

### **Item 11. Adjournment**

Chairman Shaw thanked board members, department, OIG staff, and members of the public for their participation in the meeting. There being no further business, the meeting adjourned at approximately 11:15 a.m.

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C-ROB Secretary

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Dated

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